IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 11170 of 1994

For Approval and Signature:

Hon'ble MR.JUSTICE JAYANT PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

JAYANTKUMAR R PATEL

Versus

DIRECTOR

Appearance:

1. Special Civil Application No. 11170 of 1994

MR ANANT S DAVE for Petitioner No. 1

NOTICE SERVED for Respondent No. 1,3-4

GOVERNMENT PLEADER for Respondent No. 2

CORAM : MR.JUSTICE JAYANT PATEL

Date of decision: 07/10/2002

ORAL JUDGEMENT

The present petition is preferred for challenging

the resolution dated 5-5-1988 and the petitioner has also prayed for the consequential relief to direct the respondents to give admission to the petitioner in second year Arts Teacher Diploma course. The petition was preferred in the year 1994. At the time, when the petition was admitted no interim relief was granted. When the matter comes up for final hearing, it appears that the admission which was prayed for by the petitioner in the year 1994 cannot be granted after a period of about eight years, that too, on the basis of the position prevailing in the year 1994. The facts and circumstances of the case have changed by that time and so would be the change in the policy of the State Government in the matter of grant of admission, because the number of seats, qualifications, etc., as prevailing in the year 1994 would be different than those which are prevailing at present. Under these circumstances, the present petition has become infructuous and hence disposed of accordingly. Rule discharged. Liberty to apply in case of difficulty.

7-10-2002 (Jayant Patel, J.)

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